

## **REMARKS**

Claims 27 and 45-90 were presented for examination and were pending in this application. In an Office Action dated May 13, 2004, claims 50-53, 66-68, 75, 76, 78 and 89 were objected to, and claims 27, 45-49, 54-65, 69-74, 77, 79-88 and 90 were rejected. Applicants thank Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

Claims 45, 46, 48, 49, 51-68, 70-73, 75-77, and 79-90 are amended herein. Claims 27, 47, 50-52, 69, and 78 are cancelled. Claims 91 through 163 are added. These changes are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended to expedite the prosecution of the application in a manner consistent with the Patent Office Business Goals, 65 Fed. Reg. 54603 (Sept. 8, 2000). In making these amendments, Applicants have not and do not narrow the scope of the protection to which Applicants consider the claimed invention to be entitled and do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Based on the above Amendment and the following Remarks, Applicants respectfully request reconsideration and withdrawal of all outstanding objections and rejections.

### **Response to Rejection Under 35 USC 103(a) in View of Dandliker and Jackson**

In the first through fifth paragraphs of the Office Action, Examiner rejects claims 27, 45-49, 54-65, 69-74, 77, 79-88, and 90 under 35 USC § 103(a) as allegedly being

unpatentable in view of U.S. Patent No. 5,907,152 to Dandliker et al. ("Dandliker") and U.S. Patent No. 4,794,384 to Jackson ("Jackson") and objects to claims 50-53, 66-68, 75, 76, 78, and 79.

Applicants have cancelled claims 27 and 69. Applicants have added new independent claims 91, 92, 114, 137, 160, and 163. Claim 91 is based on objected to claim 50, claim 92 is based on objected to claim 51, claim 114 is based on objected to claim 52, claim 160 is based on objected to claim 66, and claim 163 is based on objected to claim 78. In addition, claim 137 is based in part on objected to claim 53, but has been rewritten to exclude elements/limitations that are no longer necessary or would result in a non-sequitur in the rewritten context of the claim.

In each instance, the claims have been rewritten to account for any intervening claims, if appropriate, as well as to account for proper antecedent basis. In addition, in some instances claims were amended to improve readability, eliminate non-sequiturs, and appropriately expand, rather than narrow, the scope of protection to which Applicants believe they are entitled. For example, claim 48 now reads "substantially a shifted version" rather than "a substantially shifted version", which provides data context with respect to the image "location" rather than "distance".

In addition, claims 45, 46, 48, 49, 51-68, 70-73, 75-77, and 79-90 were amended to now depend from appropriate independent claims 91 and 163. Claims 92, 114, 137, and 160 have new dependent claims added. In each instance, Applicants respectfully submit the claims are patentably distinguishable over the references of record.

### Conclusion

In view of the amendments made herein, Applicants respectfully submit that the basis for the rejections to the pending claims are now obviated. Therefore, Applicants respectfully request that Examiner reconsider the rejections and withdraw them.

Applicants also request consideration and examination of new claims 91-163. Applicants respectfully submit that these are supported by the specification and are commensurate within the scope of protection to which Applicants believe they are entitled.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,  
Julien Piot, Urban G. Schnell and  
Philippe J. Nussbaum

Date: July 16, 2004

By:



Rajiv P. Patel, Attorney of Record  
Registration No. 39,327  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7607  
Fax: (650) 938-5200  
E-Mail: rpatel@fenwick.com